

Exhibit A

From: Howard, Geoff
Sent: Wednesday, October 27, 2010 5:47 PM
To: Greg Lanier; Steven Holtzman
Cc: Pickett, Donn; House, Holly; Robert A Mittelstaedt; 'Scott Cowan'
Subject: RE: *Confidential: RE: RE: RE: RE: RE: RE: RE: RE: Confidential

Greg,
Thank you for your response. [REDACTED]

[REDACTED] Your statement that we have rejected "every similar such proposal" regarding the contributory liability claim is also incorrect. You have made one such proposal, which we did not reject. Instead, we repeatedly asked you to have a live discussion about it, as the parties have done almost continuously in connection with all of the other trial stipulations we have reached. You repeatedly refused that request, and we have still not had the requested discussion.

Thanks,
Geoff

From: Greg Lanier [mailto:tglanier@JonesDay.com]
Sent: Wednesday, October 27, 2010 5:36 PM
To: Steven Holtzman
Cc: Pickett, Donn; Howard, Geoff; House, Holly; Robert A Mittelstaedt; 'Scott Cowan'
Subject: *Confidential: RE: RE: RE: RE: RE: RE: RE: RE: Confidential

Steve, thank you for this response. [REDACTED]

Additionally, we will shortly inform the Court that we are electing not to contest the claim for contributory copyright infringement, and given that an issue of such significance (according to Oracle's public statements) will no longer be disputed in the case, trial should be shortened to no more than 20 hours per side and evidence and argument related solely to contributory infringement should be excluded. You have already rejected every similar such proposal, so we will proceed accordingly.

Greg

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Remainder of email chain redacted